NOTIFICATION.

(LAW DEPARTMENT)

No LAW 9 LCR/63 Bangalore, dated 10th January 1963

Ordered that the accompanying Notification No. G.S.R. 1718 dated the 13th December 1962, of the Ministry of Commerce and Industry, issuing the Control of Internees' Property Order, 1962, which has been published in the *Gazette of India*, Extraordinary, Part II, Section 3, sub-section (*i*) dated the 13th December 1962 be republished in the *Mysore Gazette*, for general information.

By Order and in the name of the Governor of Mysore,

T. VENKATANARANAPPA,
Under Secy. to Govt., I/c, L. D

GOVERNMENT OF INDIA

MINISTRY OF COMMERCE AND INDUSTRY

NOTIFICATION

New Delhi, the 13th December 1962

THE CONTROL OF INTERNEES' PROPERTY ORDER, 1962

G S R. 1718.—In exercise of the powers conferred by sub-rule (1) of rule 133-V of the Defence of India Rules, 1962, the Central Government hereby makes the following Order, namely —

1. This Order may be called the Control of Internees' Property Order, 1962.

2. In this Order,—

(*a*) "Custodian" means the Custodian of Enemy Property for India appointed under rule 133-V of the Defence of India Rules, 1962, and includes any Deputy or Assistant Custodian of Enemy Property,

(*b*) "internee" means any person arrested or liable to arrest under paragraph 5 of the Foreigners (Internment) Order, 1962,

(*c*) "internment camp" means an internment camp established under paragraph 4 of the Foreigners (Internment) Order, 1962,

(d) "parole centre" means a place declared by the Central Government or any State Government to be a parole centre,

(e) "person on parole" means an enemy foreigner or a person referred to in clause (f) of rule 133-A of the Defence of India Rules, 1962, in respect of whom there is in force any order made under sub-clause (i) of clause (e) of sub-section (2) of Section 3 of the Foreigners Act, 1946, restricting his residence to the limit of a parole centre.

3 A person on parole may dispose of—

(i) any of his movable property other than securities or stock in trade;

(ii) with the general or special approval of the Custodian previously obtained, any of his securities, stock in trade or immovable property

Provided that he shall in either case inform the Custodian of any such disposal of property within seven days thereof, giving full particulars, and shall place the proceeds thereof to his own credit in a bank approved by the Custodian.

4 An internee or person on parole may, with the approval of the Custodian, execute any general or special power of attorney for disposal of his property and conduct of his affairs.

5. Any such power of attorney as aforesaid may be in favour of the Custodian or such other person in India (hereinafter referred to as the nominee) as the internee or person on parole chooses to nominate.

6. (i) If any such power of attorney as aforesaid is granted in favour of the Custodian, the Custodian shall be entitled to levy in respect of each transaction completed by

him on behalf of the internee or person on parole such fee not exceeding two per cent of the monetary value thereof as the Custodian may consider proper.

(ii) The Custodian shall be the sole judge of the monetary value of any transaction for the purposes of this paragraph.

7. The nominee, if so authorised by the power of attorney which he holds, may dispose of—

(i) any movable property belonging to the internee or person on parole other than securities or stock in trade;

(ii) with the general of special approval of the Custodian previously obtained, any securities, stock in trade or immovable property belonging to the internee or peron on parole;

Provided that the nominee shall in either case inform the Custodian of any such disposal of property within seven days thereof, giving full particulars and shall place the proceeds thereof to the credit of the internee or person on parole in a bank approved by the Custodian.

8. No bank in India shall allow withdrawals from an account, including a joint account, belonging to an internee or person on parole except in accordance with the provisions of paragraph 9 of this Order or with such general or special instructions not inconsistent with that paragraph as the Custodian may issue

9. Notwithstanding anything contained in rule 133-J of the Defence of India Rules, 1962, any bank in India may accept, pay money on, or otherwise deal with, a cheque drawn by, or on behalf of, an internee or a person on parole, if the cheque is countersigned by the Commandant of the internment camp in which the internee is for the time being detained or confined or, as the case may be, by the Commandant, Superintehdent or other officer in charge of the parole centre in which the person on parole is for the time being residing.

[No. 22/6/62-E. Pty.]

S. RANGANATHAN, Secy.